

wherein said light is applied in such a manner that the intensity of said light in a predetermined area on the photo mask is distributed within a range of $\pm 11.2\%$ of an average intensity of said light in said area.

REMARKS

The title has been amended to better describe the invention.

Claims 1 and 17-22 have been amended to clarify the invention. More particularly, claims 1 and 17-22 have been amended to clarify that these claims are process claims. The Examiner relies on MPEP Section 2164.08(A), which is directed to means claims. Since claims 1 and 17-22 are now process claims, the Examiner's rejection has been rendered moot.

Turning to the rejection of claims 1 and 17-22 under 35 USC § 102(b) as being anticipated by Suzuki (JP Patent No. 6-267,826), the Examiner's rejection is in error. Paragraph 45 of Suzuki, which the Examiner cites as teaching an illuminance homogeneity of 1 percent, actually is discussing the degree of error for illuminance homogeneity, as opposed to an operating range. Thus, Suzuki does not teach the required range that the intensity of light vary $\pm 11.2\%$. and Suzuki cannot anticipate this aspect of claims 1 and 22, nor any claims dependent therefrom.

No new matter has been entered. Pursuant to 37 CFR § 1.121, a marked copy of the amended claims showing the changes made therein accompanies this Amendment.

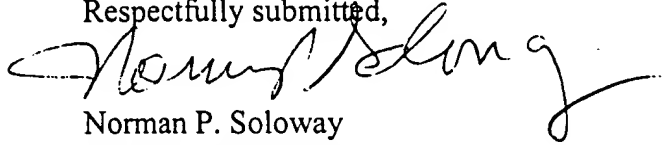
Having dealt with all the objections raised by the Examiner, it is believed the Application now is in order for allowance.

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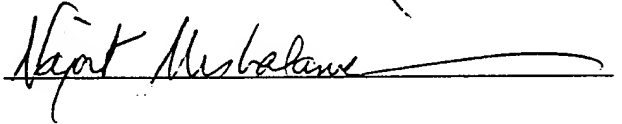
Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February 14, 2003, at Tucson, Arizona.

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